

ORDINANCE NO. 01-22

**AN ORDINANCE ESTABLISHING A VIDEO SERVICE PROVIDER FEE TO BE PAID BY ANY PROVIDER OFFERING VIDEO SERVICE IN THE VILLAGE OF ROCKFORD, OHIO; AUTHORIZING THE MAYOR TO GIVE NOTICE TO THE VIDEO SERVICE PROVIDER OF THE VIDEO SERVICE PROVIDER FEE; AND DECLARING AN EMERGENCY**

WHEREAS, the Village of Rockford, Ohio has a cable television franchise agreement with Wabash Communications; however, from time to time the Village may change the provider of video service within the Village.

WHEREAS, Ohio Revised Code §1332.32 states that a video service provider shall pay a video service provider fee to each municipal corporation in which it offers video service. The fee shall be calculated quarterly by determining the provider's gross revenue for the preceding calendar quarter multiplied by the percentage of gross revenue payable in that calendar quarter pursuant to that franchise, not to exceed five percent, or a percentage, not to exceed five percent, as specified in an ordinance or resolution that the municipal corporation may enact or adopt for the purpose of this section.

WHEREAS, it is beneficial to the health, safety, and welfare of the citizens of the Village of Rockford, Ohio to establish a video service provider fee.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Rockford, County of Mercer, State of Ohio.

SECTION ONE: The Council of the Village of Rockford, Ohio hereby establishes a video service provider fee of five percent (5%) of any video service provider's gross revenue as defined in Ohio Revised Code §1332.32(B). This fee shall apply to all the video service providers, cable operators and cable service providers as those terms are defined in Ohio Revised Code §1332.21, offering such service in the Village of Rockford, Ohio.

SECTION TWO: The video service provider fee shall be paid by each video service provider providing service in the Village on a quarterly basis within forty-five days after the end of each calendar year in accordance with Ohio Revised Code §1332.32(A).

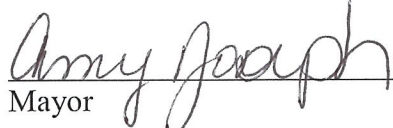
SECTION THREE: The Mayor is authorized and directed to provide written notice to any video service provider of the video service provider fee, by certified mail, return receipt requested, in accordance with Ohio Revised Code §1332.32(C)(2).

SECTION FOUR: This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and welfare of the residents of the Village of Rockford, Ohio, and for the further reason that it is immediately necessary to establish video service provider fees, and therefore, this Ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

Adopted this 4<sup>th</sup> day of January, 2022.

Attest:

  
Clerk of Council

  
Mayor

  
President of Council